



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Mercer Products & Manufacturing Co.--
Reconsideration

File: B-251126.2; B-251127.2

Date: November 30, 1992

Don M. Gulliford for the protester.
Catherine M. Evans, Esq., and John M. Melody, Esq., Office
of the General Counsel, GAO, participated in the preparation
of the decision.

DIGEST

Request for reconsideration of decision dismissing protest
of award to another firm is denied where protest did not
explain why award was allegedly improper, and therefore did
not meet General Accounting Office's requirement for a
detailed statement of protest grounds.

DECISION

Mercer Products & Manufacturing Co. requests reconsideration
of our October 28 decision dismissing its protest of awards
under solicitation Nos. DLA700-92-T-8331 and DLA700-92-T-
V933, issued by the Defense Construction Supply Center for
parts.

We deny the request.

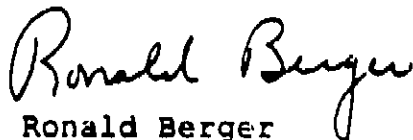
In its protest, Mercer stated that it was protesting the
awards, but did not explain why it believed the awards were
improper. While the protest stated that "a more detailed
elaboration of the reasons for our protest follows," the
additional information Mercer provided concerned only
administrative information about the solicitation and
contract, such as the part numbers and award price. As
stated in our decision, our Bid Protest Regulations require
that a protest include a detailed statement of the legal and
factual grounds of the protest. 4 C.F.R. §§ 21.1(c)(4) and
21.1(e) (1992). These requirements contemplate that
protesters will provide, at a minimum, either allegations or
evidence sufficient, if uncontradicted, to establish the
likelihood of the protester's claim of improper agency
action. Professional Med. Prods., Inc., B-231743, July 1,
1988, 88-2 CPD ¶ 2. In order for a protest to warrant
initial consideration by our Office so that we will develop
the record by seeking an administrative report from the

agency, the protest must meet this standard. Since Mercer's protest did not do so, we dismissed it in accordance with our Regulations. 4 C.F.R. § 21.3(m).

In its reconsideration request, Mercer notes that it had asked in its protest letter for a copy of our Regulations. However, the inclusion of such a request in a protest submission has no effect on our determination of the sufficiency of the statement of protest. A protester's lack of actual knowledge of our rules regarding a detailed protest is irrelevant; protesters are deemed as a matter of law to have constructive notice of our Regulations because they are published in the Federal Register and the Code of Federal Regulations. Oxford Place Office Park, B-234867, June 20, 1989, 89-1 CPD ¶ 579.

Bid protests are serious matters which require effective and equitable procedural standards to ensure both that parties will have a fair opportunity to present their cases, and that protests can be resolved in a reasonably speedy manner. Amerind Constr. Inc.--Recon., B-236686.2, Dec. 1, 1989, 89-2 CPD ¶ 508. Accordingly, our Regulations contain strict filing requirements that place an affirmative obligation on the protester to file timely and detailed protests. Where, as here, the protester has not met its obligation, our consideration of the matter would be inconsistent with our goal of providing protesters a fair opportunity to have their objections considered without unduly disrupting the procurement process. Id.

As Mercer has not shown that our dismissal was based on any errors of fact or law, or offered new information that would warrant its reversal or modification, the request for reconsideration is denied. See 4 C.F.R. § 21.12(a); R.E. Scherrer, Inc.--Recon., B-231101.3, Sept. 21, 1988, 88-2 CPD ¶ 274.



Ronald Berger
Associate General Counsel